FILED

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

September 27, 2023 CLERK, U.S. DISTRICT COURT WESTERN DISTRICT OF TEXAS

Y: NM DEPUTY

VICTOR CASTRO,

Plaintiff,

v.

CIVIL NO. SA-23-CV-00294-OLG

LOUIS DEJOY, POSTMASTER GENERAL,

Defendant.

ORDER

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Before the Court is the report and recommendation (R&R) of United States Magistrate Judge Elizabeth S. Chestney. (See R&R, Dkt. No. 12, Aug. 23, 2023.) Plaintiff Victor Castro was served with a copy of the R&R by certified mail on August 29, 2023 (see Dkt. No. 15) and the time to object has passed. Because Castro did not file objections to the R&R, the Court has reviewed Magistrate Judge Chestney's recommendation to determine whether it is clearly erroneous or contrary to law. See United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989). After such review, the Court finds that the R&R is in all things correct and should be accepted.

Accordingly, it is **ORDERED** that Magistrate Judge Chestney's recommendation (Dkt. No. 12) is **ACCEPTED**. It is further **ORDERED** that, for the reasons stated in the R&R, Plaintiff's claims are **DISMISSED** pursuant to 28 U.S.C. § 1915(e) for failure to state a claim.

This case is **CLOSED**.

It is so **ORDERED**.

SIGNED this ______ day of September, 2023.

ORLANDO L. GARCIA United States District Judge